

**ALASKA STATE LEGISLATURE  
HOUSE RESOURCES STANDING COMMITTEE**

January 29, 2024

1:02 p.m.

**MEMBERS PRESENT**

Representative Tom McKay, Chair  
Representative George Rauscher, Vice Chair  
Representative Thomas Baker  
Representative Kevin McCabe  
Representative Dan Saddler  
Representative Stanley Wright  
Representative Maxine Dibert

**MEMBERS ABSENT**

Representative Jennie Armstrong  
Representative Donna Mears

**COMMITTEE CALENDAR**

HOUSE BILL NO. 243

"An Act reducing the draw permit application fee for bison to \$5; and providing for an effective date."

- MOVED HB 243 OUT OF COMMITTEE

HOUSE BILL NO. 272

"An Act relating to big game hunts for persons with physical disabilities; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 281

"An Act relating to the permitting, lease, and sale of state land for remote recreational cabin sites; and providing for an effective date."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 243

SHORT TITLE: BISON DRAW PERMIT APPLICATION FEE

SPONSOR(S): REPRESENTATIVE(S) CRONK

01/16/24 (H) PREFILE RELEASED 1/8/24  
01/16/24 (H) READ THE FIRST TIME - REFERRALS  
01/16/24 (H) RES  
01/24/24 (H) RES AT 1:00 PM BARNES 124  
01/24/24 (H) Heard & Held  
01/24/24 (H) MINUTE (RES)  
01/26/24 (H) RES AT 1:00 PM BARNES 124  
01/26/24 (H) Heard & Held  
01/26/24 (H) MINUTE (RES)  
01/29/24 (H) RES AT 1:00 PM BARNES 124

BILL: HB 272

SHORT TITLE: BIG GAME HUNTING BY PERSON W/ DISABILITY

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/18/24 (H) READ THE FIRST TIME - REFERRALS  
01/18/24 (H) RES  
01/29/24 (H) RES AT 1:00 PM BARNES 124

BILL: HB 281

SHORT TITLE: STATE LAND FOR REMOTE REC CABIN SITES

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/22/24 (H) READ THE FIRST TIME - REFERRALS  
01/22/24 (H) RES, FIN  
01/29/24 (H) RES AT 1:00 PM BARNES 124

**WITNESS REGISTER**

DOUG VINCENT-LANG, Commissioner  
Alaska Department of Fish and Game  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 272 on behalf of the House Rules Committee, sponsor of the bill by request of the governor.

JOSEPH FELKL, Legislative Liaison  
Office of the Commissioner  
Alaska Department of Fish and Game  
Juneau, Alaska

**POSITION STATEMENT:** Provided a sectional analysis of HB 272 on behalf of the House Rules Committee, sponsor of the bill by request of the governor.

LOUIS CUSACK, Executive Director  
Safari Club International, Alaska Chapter (SCI Alaska)  
Eagle River, Alaska

**POSITION STATEMENT:** Testified in support of HB 272.

IRA EDWARDS, representing self  
Palmer, Alaska

**POSITION STATEMENT:** Testified in support of HB 272.

CHRISTIANNA COLLES, Director  
Division of Mining, Land and Water  
Department of Natural Resources  
Anchorage, Alaska

**POSITION STATEMENT:** Provided a PowerPoint presentation titled "Remote Recreational Cabin Sites HB 281" on behalf of the House Rules Committee, sponsor by request of the governor.

**ACTION NARRATIVE**

[1:02:07 PM](#)

CHAIR MCKAY called the House Resources Standing Committee meeting to order at 1:02 p.m. Representatives Dibert, McCabe, Baker, Rauscher, and McKay were present at the call to order. Representatives Saddler and Wright arrived as the meeting was in progress.

**HB 243-BISON DRAW PERMIT APPLICATION FEE**

[1:03:01 PM](#)

CHAIR MCKAY announced that the first order of business would be HOUSE BILL NO. 243, "An Act reducing the draw permit application fee for bison to \$5; and providing for an effective date."

[1:03:29 PM](#)

REPRESENTATIVE RAUSCHER moved to report HB 243 out of committee with individual recommendations and the accompanying fiscal note. There being no objection, HB 243 was reported out of the House Resources Standing Committee.

[1:04:04 PM](#)

The committee took an at-ease from 1:04 p.m. to 1:06 p.m.

**HB 272-BIG GAME HUNTING BY PERSON W/ DISABILITY**

[1:06:54 PM](#)

CHAIR MCKAY announced that the next order of business would be HOUSE BILL NO. 272, "An Act relating to big game hunts for persons with physical disabilities; and providing for an effective date."

[1:08:04 PM](#)

DOUG VINCENT-LANG, Commissioner, Alaska Department of Fish and Game (ADF&G), presented HB 272 on behalf of the House Rules Committee, sponsor of the bill by request of the governor. He related that after the Board of Game (BOG) established a hunt last year for disabled hunters within Anchorage's Kincaid Park, the Department of Law (DOL) ruled that the BOG did not have statutory authority to create a hunt for a special class of citizens. This bill, he explained, would create the statutory authority for the BOG to establish a hunt for a variety of classes of disabled hunters, including disabled veterans. To qualify, a person must be at least 70 percent physically disabled, and qualifying persons participating in the hunt must be accompanied by a licensed hunter capable of retrieving game. The [proposed] statutory change does not create any hunts, it would only allow the BOG to take proposals from the public to create hunts for disabled hunters within the state. Any proposal to establish such a hunt in regulation would have to go through the board process of public notice, review by ADF&G and local advisory committees, and public comment.

COMMISSIONER VINCENT-LANG said ADF&G supports HB 272 as it gives the BOG the option to provide unique hunting opportunities for Alaska's disabled hunters and promotes outdoor recreation. The BOG's support for the idea is shown through its prior actions, and HB 272 would provide the board with the statutory foundation to consider such proposals in the future. He noted that passage of HB 272 would not automatically authorize the hunt in Kincaid Park because the landowner, the Municipality of Anchorage, still has the responsibility to allow that hunt to continue.

[1:10:40 PM](#)

JOSEPH FELKL, Legislative Liaison, Office of the Commissioner, Alaska Department of Fish and Game (ADF&G), provided a sectional analysis of HB 272 on behalf of the House Rules Committee, sponsor of the bill by request of the governor. He paraphrased from the sectional analysis, which read as follows [original punctuation provided]:

**Section 1:** amends AS 16.05.255 by adding a new subsection that provides statutory authority for the Board of Game to establish hunts limited to individuals with physical disabilities.

**Section 2:** transition section to allow the Board of Game to adopt regulations necessary to implement the bill.

**Section 3:** immediate effective date for section 2.

**Section 4:** effective date of January 1, 2025, for all other provisions of the bill.

[1:11:14 PM](#)

REPRESENTATIVE RAUSCHER said he thinks HB 272 is a great bill. He asked about the number of hunters that HB 272 would affect.

MR. FELKL replied that he will look at ADF&G's numbers for permanent identifications and get an answer to the committee.

REPRESENTATIVE RAUSCHER asked how it would work if a hunter were too disabled to pull the trigger.

COMMISSIONER VINCENT-LANG offered his understanding that it is the disabled hunter's responsibility to pull the trigger. He confirmed that ADF&G has the number of licenses that are issued for disabled hunters across the state and will get that number to the committee. He said he doesn't expect a lot of participation, but being able to participate in such hunts will be very valued by those individuals.

[1:12:34 PM](#)

REPRESENTATIVE MCCABE asked whether a person who is 70 percent disabled but still able to retrieve the game from the field would be allowed to hunt unaccompanied.

COMMISSIONER VINCENT-LANG offered his belief that in those cases it would be in the discretion of the BOG to decide whether [a licensed hunter must accompany them]. Those individuals could participate in a general hunt already, he noted, so he thinks they would have to decide whether to participate in the general hunt or the disabled hunt under the conditions set by the BOG.

[1:13:35 PM](#)

REPRESENTATIVE SADDLER stated he generally approves of the bill's intent. He observed that the [governor's transmittal letter] defines how a person's disability would be established, yet HB 272 doesn't include a definition, only the statement, "persons with physical disabilities". He asked whether the BOG would come up with regulations that define disabled.

MR. FELKL answered that the letter references the [existing] statutory definition for a person with physical disabilities. He offered to provide the statutory citation after the hearing.

REPRESENTATIVE SADDLER said it would be better to have that reference in the legislation itself.

REPRESENTATIVE SADDLER, regarding who is qualified to determine a person's disability, stated he would like for the bill to include a more precise definition of physician given that there are multiple classes of healthcare providers.

REPRESENTATIVE SADDLER requested the commissioner to speak to whether the accompanying hunter must be carrying their own personal hunting permit, whether there must be a nexus of relationship, and what the accompanying hunter will be able to do and prescribed to do.

COMMISSIONER VINCENT-LANG replied that existing statute states what is necessary to qualify for an ADF&G issued disabled hunting license, and the disabled person would have to have this license to qualify for such a hunt. Regarding whom can help, he said he doesn't think HB 272 specifies whether it must be second degree of kindred, it is anybody who wants to help this individual. As to whether the accompanying hunter must carry a firearm, he stated that in this case the primary responsibility to hunt that animal rests with the disabled hunter and he thinks it is up to [the accompanying hunter] to decide whether to carry a firearm.

[1:16:42 PM](#)

REPRESENTATIVE SADDLER asked whether the bill's intent is to include mental health/intellectual disabilities as well as physical disabilities and, if so, where that definition can be found.

COMMISSIONER VINCENT-LANG responded that he doesn't think mental disabilities are included in the current definitional requirement to obtain a disabled hunting license.

MR. FELKL addressed Representative Saddler's questions. He specified that AS 16.05.940(26) defines a person with physical disabilities, and that the statute for a person with mental disabilities doesn't apply to HB 272. He said he will get back to the committee with the statutory citation for mental disability. Mr. Felkl further specified that the only other qualifications for the person accompanying the disabled hunter are that they must have a valid hunting license and the capability to retrieve the game.

REPRESENTATIVE SADDLER allowed that he didn't know there was currently a disabled hunter license and pointed out that HB 272 only speaks to creating special big game hunting "seasons". He inquired about the thinking behind the origin of the statute describing what a disabled hunting permit is and whether the statute is working out.

COMMISSIONER VINCENT-LANG answered that it is working out very well. He said he thinks it was a desire by the legislature to create a reduced fee license for disabled hunters in Alaska and issuing that license hasn't caused ADF&G any hardship and is an opportunity to get disabled hunters into the field at a reduced price.

REPRESENTATIVE SADDLER asked whether setting aside specific hunting seasons for the physically disabled is because the current program to provide disabled hunting permits isn't operating sufficiently.

COMMISSIONER VINCENT-LANG replied that that just issues a reduced fee license to the hunter, it doesn't allow the statutory foundation to create a special area to hunt or a special hunt for the people who qualify for that license. So, HB 272 would create a statutory foundation to provide a special hunt opportunity for the people holding these licenses.

[1:20:08 PM](#)

CHAIR MCKAY announced that HB 272 was held over.

[1:20:16 PM](#)

The committee took a brief at-ease.

1:20:30 PM

CHAIR MCKAY brought HB 272 back before the committee and opened public testimony on the bill.

1:21:07 PM

LOUIS CUSACK, Executive Director, Safari Club International, Alaska Chapter (SCI Alaska), testified in support of HB 272. He said SCI Alaska will work to ensure that a season is established and will help individuals with disabilities to participate and harvest their own wild game.

REPRESENTATIVE MCCABE thanked Mr. Cusack for his testimony.

REPRESENTATIVE SADDLER asked whether any other states provide special seasons for disabled hunters.

MR. CUSACK responded that he knows there are other states which have special hunts for disabled citizens, but he doesn't know which states specifically or whether special seasons are established in those states.

1:23:36 PM

IRA EDWARDS, representing self, testified in support of HB 272. He said he has spent 10 years working on creating a hunting opportunity for physically disabled hunters, and HB 272 is how far things have come. He confirmed that a relatively low number of disabled veteran hunting licenses have been issued, and said there are no opportunities for nonveterans to qualify for that. He shared that he is paralyzed and in a wheelchair and was a state law enforcement officer, not a veteran. He pointed out that nonveteran disabled individuals in Alaska do not qualify for the veterans' license statute, and that Alaska is currently the only state without a hunting opportunity for physically disabled people. He further pointed out that the Veterans Purple Heart Hunt in Delta Junction is available only to Purple Heart recipients who are disabled veterans. With a definition of disability and veteran status, he explained, a person can be 70 percent disabled and still go hunting, and people who are 100 percent disabled have run the Boston Marathon. He specified that this [proposed] hunt opportunity would be for physically disabled hunters, people who could not get out there on their own. He expressed his appreciation to the commissioner and governor for their help in pushing this forward.

[1:26:00 PM](#)

REPRESENTATIVE SADDLER inquired about 100 percent disabled people running the Boston Marathon.

MR. EDWARDS replied that many types of disability do not reduce mobility, including post-traumatic stress disorder (PTSD) and missing an arm. He shared that he is considered 79 percent disabled with his paralysis.

[1:26:58 PM](#)

CHAIR MCKAY, after ascertaining that no one else wished to testify, closed public testimony on HB 272.

[1:27:06 PM](#)

CHAIR MCKAY announced that HB 272 was held over.

[1:27:25 PM](#)

The committee took an at-ease from 1:27 p.m. to 1:28 p.m.

**HB 281-STATE LAND FOR REMOTE REC CABIN SITES**

[1:28:13 PM](#)

CHAIR MCKAY announced that the final order of business would be HOUSE BILL NO. 281, "An Act relating to the permitting, lease, and sale of state land for remote recreational cabin sites; and providing for an effective date."

CHAIR MCKAY noted that HB 281 is sponsored by the House Rules Committee by request of the governor.

[1:28:47 PM](#)

CHRISTIANNA COLLES, Director, Division of Mining, Land and Water (DMLW), Department of Natural Resources (DNR), provided a PowerPoint presentation titled "Remote Recreational Cabin Sites HB 281" on behalf of the House Rules Committee, sponsor by request of the governor. She spoke to slide 2 of the PowerPoint presentation, "Purpose," which read as follows [original punctuation provided]:

**Article VIII, Section 1 of the Alaska Constitution  
states:**

*It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.*

- HB 281 will provide Alaskans a variety of opportunities to utilize and own state land for recreational purposes
- The bill aligns with the Governor's priority to put Alaska land into Alaskan hands

MS. COLLES reviewed slide 3, "Overview," which read as follows [original punctuation provided]:

- The Department of Natural Resources (DNR) will annually publish a list of lands available to stake for a Remote Recreational Cabin Site (RRCS)
- Individuals can nominate 10 acres of unencumbered state land not included in the annual state offering for RRCS
- Lands may be classified or reclassified
- Multiple ways to procure a site:
  - Permit
  - Lease
  - Purchase

MS. COLLES discussed slide 4, "HB 281 - Permits," which read as follows [original punctuation provided]:

- Establishes a process for permitting
  - Up to 10 acres for nominated lands, department sets acreage for offered lands
  - 5-year term; four renewals for 5-year terms
  - Revocable at will and may not be assigned
  - Fees established under AS 38.05.073(m)
  - May be terminated for any reason
- Permit holder may apply to lease or purchase

MS. COLLES addressed slide 5, "HB 281 - Leasing," which read as follows [original punctuation provided]:

- Process for leasing a remote recreational site
  - 10 acres for nominated lands
  - 10-year leasing period; two renewals for 10-year terms
  - Restricts assignment of a lease
  - Fees established under AS 38.05.073(m)
  - Termination of lease for non-compliance
  - May purchase the site during the term of the lease

MS. COLLES elaborated on slide 6, "HB 281 - Purchase," which read as follows [original punctuation provided]:

- Process for purchase of state land for RRCS
  - 10 acres for nominated lands
  - Purchase price set at fair market value
    - Purchase of permitted and leased sites appraisal will be set at time of entry
  - Applicant must pay for appraisal, survey, and platting

MS. COLLES showed slide 7, "Map of State-owned Land," and said it represents the different major ownerships across Alaska, with state-owned land represented in blue. State land is classified through an agency and public engagement planning process, she continued, to assist [DNR] in making decisions on development and disposals. Lands must be classified prior to a disposal. The classification types are agricultural, coal, forestry, geothermal, grazing, material, mineral, oil and gas, heritage resources, public recreation, reserved use, resource management, transportation corridors, waterfront development, water resources, wildlife habitat, and settlement. Settlement classification is land identified for disposal into private ownership. Land not designated as settlement can be considered for reclassification through a process that is set out in current statute.

MS. COLLES turned to the map on slide 8, "Statewide Settlement Land," and noted that [a total of] approximately 3,544,344 acres of land across the state is already classified as settlement. She proceeded to slide 9, "Northern Region Settlement Land," and specified that 1,309,586 acres are classified as settlement in this region. She showed slide 10, "Southcentral Region Settlement Land," and related that 2,167,824 acres are classified as settlement in this region. Addressing slide 11,

"Southeast Region Settlement Land," she said 66,932 acres are classified as settlement here.

[1:34:12 PM](#)

MS. COLLES next provided the sectional analysis for HB 281. The sectional analysis was outlined on slides 12-18 of her PowerPoint presentation, and was also provided in a written summary included in the committee packet titled "Sectional Analysis, House Bill 281 - State Land for Remote Rec Cabin Sites (33-GH2026\A)", which read as follows [original punctuation provided with some formatting changes]:

**Section 1** - Amends the uncodified law of the State of Alaska to add a statement of purpose.

**Section 2** - Amends AS 38.05.035(e) (outlining the powers and duties of the director of the division of lands) to add a new (e)(6)(I) stating that the director is not required to issue a written finding before approval of a remote recreational cabin site permit, lease, or sale under AS 38.05.600 (the remote recreational cabin sites statute).

**Section 3** - Amends AS 38.05.045 (the statute stating that, in general but with some exceptions, all land owned in fee by the state may be sold as provided in AS 38.05.045 - .069 and in AS 38.08) to add that this statute does not prevent the disposition of land as provided in AS 38.05.600 (the remote recreational cabin sites statute).

**Section 4** - Amends AS 38.05.065(b) (the statute providing terms of contract for sale) to state that a contract for land sold under AS 38.05.600 (the remote recreational cabin sites statute) to add a requirement for installment payments of no more than 20 years on a level-payment basis at interest rates set by AS 38.05.065(i).

**Section 5** - Amends AS 38.05.125(a) (the statute listing reservations for contracts for sale, lease, or grant of state land, and each deed to state land, properties, or interest in state land) to add AS 38.05.600 to the list of statutes subject to the reservations laid out in .125(a).

**Section 6** - Amends AS 38.05.600 by repealing the existing remote recreational site statute and re-enacting it as follows:

(a) States that the commissioner shall provide for the permitting, lease, and sale of state land for remote recreational sites to eligible applicants, as described in (b) and (c).

(b) States that the commissioner shall publish an annual schedule of land offerings that lists areas available for staking of remote recreational cabin sites. The department will provide public notice of the annual schedule and applicants may apply for sites.

(c) States that eligible applicants may nominate unencumbered land and apply for a permit, lease, or sale of up to 10 acres of state land that is not included in the commissioner's schedule of land offerings.

(d) States that the commissioner may classify or reclassify nominated land if nominated land is not classified to allow for remote recreational cabin sites. The applicant would be responsible for all administrative costs associated with reclassification; the department shall provide public notice of the nomination; and if the applicant fails to stake land within 90 days of approval, the commissioner may include the land in the annual schedule of offerings.

(e) States that the commissioner may issue a permit to an eligible applicant for a term of not more than five years. The permit could be renewed up to four times, for five years per renewal. Permits are revocable at will and may be terminated by the commissioner for any reason. The permittee is eligible to lease or purchase the site, and if the land subject to the permit is offered for sale or lease, the commissioner shall first offer the site to the permittee.

(f) States that the commissioner may issue a lease for a term not more than 10 years, with two 10-year renewals. A lease may be terminated by the commissioner if a lessee fails to use the land according to the terms of the lease. The lessee may purchase the site at any time during the lease.

(g) States that annual fees for permits and leases shall be set by the commissioner in

accordance with AS 38.05.073(m) to ensure the state receives a fair return. After the termination of a permit or lease, improvements or personal property remaining on the land shall be handled as provided in AS 38.05.090. A lease or permit may not be assigned.

(h) States that sales must be at fair market value at the time of entry, and the purchaser must pay the costs of appraisal, survey, and platting.

(i) States that the commissioner may adopt regulations to implement this section.

(j) Provides definitions for "eligible applicant" and "resident".

**Section 7** - Amends the uncodified law by adding a new section relating to transition, stating that a lease executed under AS 38.05.600 before the effective date of this act and in effect on the effective date of this act is eligible for renewal under AS 38.05.600 as repealed and reenacted in Section 6 of this bill.

**Section 8** - Provides for an immediate effective date under AS 01.10.070(c).

[1:39:38 PM](#)

MS. COLLES concluded her PowerPoint presentation with slide 19, "Fiscal Note," which read as follows [original punctuation provided with some formatting changes]:

- FY 2025 \$731.8 (5 positions)
  - One Permanent Full-Time Land Surveyor 1
  - One Permanent Full-Time Natural Resource Manager 1
  - Two Permanent Full-Time Natural Resource Specialists 3
  - One Permanent Full-Time Natural Resource Specialist 2
- These positions will support timely adjudication of the expanded Remote Recreational Cabin Site program applications
- FY 2026-2030 \$706.8 annual

MS. COLLES added that the manager would run this program which will have a lot more elements than the current program. One

Specialist 3 would help with reclassifications and the other Specialist 3, with the help of the Specialist 2, would do the adjudications of the nominations and help with commissioner's schedule of land offerings.

[1:40:41 PM](#)

CHAIR MCKAY posed a scenario of purchasing a lot near the Parks Highway for a recreational cabin with private land located between the highway and his lot. He asked whether he would be allowed access to his lot through the private property via an ATV or snowmachine.

MS. COLLES answered that access would be on a case-by-case basis; for example, whether a float plane can be landed for a parcel by a lake or whether there are section line easements to a parcel for access by snowmachine. The department's current program, she said, only has a sales element, not permit and lease elements. Access is looked at when DNR offers areas for people to stake, so DNR will need to look at whether there is legal access for those parcels which are nominated by someone.

CHAIR MCKAY remarked that it is important [for DNR] to look at legal access to a parcel.

MS. COLLES concurred that legal access is wanted and that creating conflict between private ownership and new ownership that doesn't have access isn't wanted since DNR currently deals with access conflict and doesn't want to create more.

[1:42:44 PM](#)

REPRESENTATIVE MCCABE requested for the record a definition of "remote recreational cabin sites" as opposed to non-remote and not a cabin site.

MS. COLLES replied that DNR currently has subdivision sales and many times those subdivision sales are off highways and roads can be built. The remote recreational sites are usually more remote where access is something that must be looked at, such as whether there is a lake that could be landed on. These sites aren't going to be on the road system, they will be reachable by maybe snowmachine or a river or boat in the summer.

REPRESENTATIVE MCCABE pointed out that to one person remote might be walking a mile-long trail from the road system while to another person remote means 15 miles by snowmachine. He asked

whether there is a tighter definition of "remote" or whether DNR figures that out at the time.

MS. COLLES responded that she doesn't think a definition is on the books, rather it is a case-by-case basis as to whether DNR considers it remote. She said she thinks it is something that would be put into regulation by the department.

[1:45:04 PM](#)

REPRESENTATIVE SADDLER stated he supports the governor's efforts to put more Alaska lands into Alaskan hands. This is to provide leases for recreational sites, he noted, it isn't for commercial sites. He observed that Section 6(e) of the bill speaks of the commissioner's ability to issue a permit for five years with up to four renewals [not to exceed five years each]. He asked what the permit would permit since the bill is primarily addresses leasing land.

MS. COLLES answered that this program covers permits, leases, and sales. A permit would give [the permittee] the right to build a cabin on state land, which could then be turned into a lease or a purchase if the area allows it. For example, some personal use cabins, often referred to as "duck shacks," are in legislatively designated areas, so DNR cannot sell that land to the individual but can issue a permit. This bill would give DNR a host of options for being able to authorize these types of structures.

REPRESENTATIVE SADDLER asserted that this is not specifically to lease but almost a rent-to-own type of thing because people would be able to lease public land for up to 30 years total and it could lead to permitting a cabin and could lead to sale of that cabin to the person who built it and sale of the land to the person who leased it. He asked whether providing land for 30 years of use and the wherewithal to sell the land to that person isn't the definition of disposal of the land.

MS. COLLES replied yes, this is getting it to disposal. But, she added, the goal for individuals who cannot afford to pay for the survey, appraisal costs, and purchase of the land is to have the opportunity to find a piece of property and use it for camping. If they later decide not to purchase the parcel they could choose to close their permit and move their structures to another location.

REPRESENTATIVE SADDLER asked whether at the point of the presumed end of this process there would be a need for the commissioner to issue a best interest finding (BIF) justifying permanent disposal of that state land.

MS. COLLES responded that HB 281 would give the department an exemption from going through the 035(e) written finding, but DNR would still have to write some sort of decision. That is already done with some of DNR's other authorization types, where the department still writes a decision and still goes out for public notice, but it's not as prescriptive as 035 and it doesn't have the requirement of public notice under 38.05.945.

REPRESENTATIVE SADDLER concluded that this means someone who got the lease and went through 30 years would not have to get a BIF for disposal of the land, so there would not be the public notice that people might otherwise expect for disposition of state land.

MS. COLLES answered that the statute doesn't require it, but the constitution requires the department to public notice. The department would still public notice these actions and all decisions made by the department are appealable. So, a decision would need to be drafted, it just wouldn't need to be drafted per the statute currently on the books, which is AS 38.05.035.

REPRESENTATIVE SADDLER asked whether the lessee would have the exclusive right to occupy the leased acreage. He further asked whether the lessee would be allowed to let someone hunt commercially on this recreational site and what the limitations or conditions on the use of this land would be.

MS. COLLES replied that much of that will have to worked out in regulation as there is nothing in statute that states that the lessee cannot use it for commercial purposes. However, she added, the intent of HB 281 is for private use. Once sold out of state ownership, the individual could do with the land what they wish. Under the department's current program, the initial lease requests that the land not be used for commercial operations, that it only be private use, until it goes under contract and the property sold to them.

REPRESENTATIVE SADDLER surmised there would be a request but not an obligation. So, he continued, someone could obtain a remote recreational site lease and could conduct commercial operations on it because there is nothing to prevent them from doing so.

MS. COLLES responded that the department could put into regulation or stipulate in contract that the parcels cannot be used for commercial operations. As currently written, the bill does not prohibit commercial use, so the department would have to work out whether it wants to prohibit commercial use.

[1:50:47 PM](#)

CHAIR MCKAY asked how many parcels could be leased by one person or leased in a block by one person.

MS. COLLES answered that it says an eligible applicant can only participate in this program one time and she thinks it also says for 10 years from the time a person has participated. So, if someone had a lease for 30 years and decided not to purchase the parcel, the person would have to wait 10 years before they could apply for another authorization.

[1:51:37 PM](#)

REPRESENTATIVE DIBERT inquired about the department's projection for the number of parcels to be sold per year.

MS. COLLES replied that the current program is staffed with two people, is done every other year, and parcels are lumped together in an area to help with survey costs, appraisals, and other work. She advised that HB 281 would require that it be done annually and that the department accept nominations of parcels throughout the state. The department sees that this could be a very popular program, she continued, so more staff positions would be needed to handle this bigger burden and to handle surveys and the reclassification of land that is nominated but not already classified as settlement.

[1:53:09 PM](#)

REPRESENTATIVE MCCABE asked whether there is a minimum size for parcels. He further asked whether a parcel could be nominated from a previously offered, but failed, sale.

MS. COLLES responded that a nomination can be anything up to a maximum of 10 acres.

CHAIR MCKAY, on behalf of Representative Rauscher, asked whether the administration plans to offer a typical number of sites per year. He further asked whether failure to pay the monthly lease

would be ruled noncompliance and the property would subsequently be lost.

MS. COLLES answered that 96 authorizations were offered in 2023, 108 were offered [in 2021], and 225 were offered in 2012. Subdivision sales are usually about 10 acres. Someone wanting a remote site usually doesn't want to have neighbors, these can be anywhere from 5 to 20. If someone goes into default, the department can close the permit, lease, or sale. The state often goes under contract for the purchase and finances those, so [the state] will terminate if people aren't paying their monthly rents.

CHAIR MCKAY surmised that if he built a fancy cabin and didn't pay rent on the property, he would lose both the cabin and the property.

MS. COLLES confirmed that that is correct. She related that under current statute, AS 38.05.090, which is referenced in HB 281, the department is required to work with the individual; if the property is over \$10,000 in value when the state sells it, the purchaser must help make that individual whole because the purchaser is getting that improvement on the land.

[1:56:15 PM](#)

REPRESENTATIVE SADDLER observed that the bill defines "resident" as an individual who has resided in the state for one year before submitting an application. He asked whether this definition is sufficient or whether resident should be defined in more detail.

MS. COLLES replied that, based on other programs, she thinks the current definition is sufficient but that [the department] is open to other ideas.

[1:57:17 PM](#)

CHAIR MCKAY announced that HB 281 was held over.

[1:57:46 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 1:58 p.m.